

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

K.C., by and through Erica C., her guardian,  
et al.,

No. C-05-4077 MMC

Plaintiffs,

**ORDER VACATING ORDER OF  
DISMISSAL; CONTINUING DEADLINES**

v.

JACK O'CONNELL, in his official capacity as  
Superintendent of Public Schools for the  
State of California, et al.,

Defendants.

On March 8, 2007, the Court issued an order dismissing the instant action as a result of its having been advised that all parties had agreed to a settlement. On March 12, 2007, plaintiffs' counsel electronically filed a letter informing the Court that two of the three proposed settlements have not yet been finalized, and requesting that the Court vacate its order of dismissal; plaintiffs further request that the Court continue, to June 15, 2007, the April 15, 2007 deadline for the San Ramon defendants and State defendants to file motions to dismiss, as well as the April 27, 2007 status conference, to afford the parties time to finalize the proposed settlements.

Accordingly, it is hereby ORDERED that:

1. The dismissal order filed March 8, 2007 is hereby VACATED.
2. The April 27, 2007 status conference is hereby CONTINUED to June 15, 2007 at

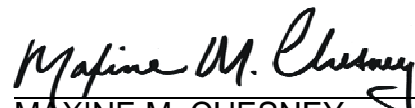
1 10:30 a.m. The parties shall file a joint status conference statement no later than June 8,  
2 2007.

3 3. The deadline for the San Ramon defendants and the State defendants to file  
4 motions to dismiss is EXTENDED from April 15, 2007 to June 15, 2007.

5 4. The Fremont defendants' motion to dismiss remains under submission. Pursuant  
6 to the parties' prior request, the Court will not rule on the motion unless and until the parties  
7 inform the Court that the tentative settlement between plaintiffs and the Fremont  
8 defendants has collapsed.

9 **IT IS SO ORDERED.**

10 Dated: March 14, 2007

  
MAXINE M. CHESNEY  
United States District Judge